IN THE HIGH COURT OF JUDICATURE,

ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE C.V.RAMULU**

**WRIT PETITION NO : 11908 of 1999**

Between:

M.J Mitra S/o. Sri Venkatasubbaiah, Group Center, Secunderabad. Ranga Reddy District.

**..... PETITIONER**

AND

1. The Inspector General of Police Southern Sector, CRPF. Banjara hills, Hyderabad.
2. Dy. Inspector General of Police CRPF., Chandrayanigutta, Hyderabad.
3. Additional Dy. Inspector General of Police Group Center, CRPF., Jawaharnagar, Hakimpet, Hyderabad.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or Direction more in the nature of Writ of Mandmus, declaring the action of the 1st Respondent in issuing proceedings No.I.X-39/99-RK dated 08.04.1999, as illegal, arbitrary and without jurisdiction and consequentially direct the respondents not to effect any recovery of money as mentioned in the orders dated 08.04.1999 of the 1st Respondent.

**Counsel for the Petitioner:MR.P.V.S.S.S.RAMA RAO.**

**Counsel for the Respondents: MR.KANTHI NARAHARI.**

**The Court made the following :**

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THE HON'BLE SRI JUSTICE C.V.RAMULU

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WRIT PETITION NO.11908 OF 1999

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ORAL ORDER:

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Admittedly, during the pendency of a detailed enquiry instituted against the petitioner, the impugned proceedings seeking to recover the amount, which is subject matter of the enquiry, are passed. Such a course of action is not permissible under the law.

Therefore, the impugned order does not stand scrutiny of law and the same is liable to be set aside and is accordingly set aside.

Writ petition is allowed. No order as to costs.

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C.V.Ramulu, J

21st June 2005.

mrk

To

1. The Inspector General of Police Southern Sector, CRPF. Banjara Hills, Hyderabad.

2. Dy. Inspector General of Police CRPF., Chandrayanigutta, Hyderabad.

3. Additional Dy. Inspector General of Police Group Center, CRPF., Jawaharnagar, Hakimpet, Hyderabad.

4. Two CD copies.

*Form-NIC-OGS/WP{**RAGHU**}*